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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10
11 WILLIAM DOMINICK; and
12 WESTWOOD RARE COIN GALLERY,
INC.,

13 Plaintiffs,

14 v.

15 COLLECTORS UNIVERSE, INC.;
16 CERTIFIED ASSET EXCHANGE INC.;
aka CERTIFIED COIN EXCHANGE;
17 DAVID HALL; CASSI EAST; MICHAEL
BRANDOW; and DOES 1–10, inclusive,

18 Defendants.

Case No. 2:12-cv-04782-ODW(CWx)

**ORDER GRANTING
DEFENDANT'S MOTION TO
DISMISS [14]**

19 On July 19, 2012, Defendants moved to dismiss Plaintiffs' Complaint with a
20 hearing set for August 20, 2012. (ECF No. 14.) Plaintiffs' opposition was due no
21 later than July 30, 2012. *See* L.R. 7-9. In lieu of filing an opposition, Plaintiffs filed a
22 Notice of Intent to File an Amended Complaint no later than August 9, 2012—the last
23 date by which Plaintiffs could file an amended complaint as a matter of course under
24 Federal Rule of Civil Procedure 15(a)(1)(B).

25 August 9 has now come and gone, and the Court is in receipt of neither an
26 opposition nor an amended complaint. Defendants' motion to dismiss therefore
27 stands unopposed, and a party's failure to oppose a motion may be deemed consent to
28 granting the motion. L.R. 7-12. The Court therefore **GRANTS** Defendants' motion

1 for the reasons advanced in Defendants' moving papers. The August 20, 2012 hearing
2 on this matter is **VACATED**, and no appearances are necessary.

3 Plaintiffs may file an amended complaint no later than **August 17, 2012**; failure
4 to do so will result in dismissal of this action with prejudice. Also, failure to address a
5 pleading deficiency raised by Defendants' moving papers may result in dismissal of
6 one or more claims with prejudice.

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8 **IT IS SO ORDERED.**

9
10 August 10, 2012

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14 **HON. OTIS D. WRIGHT, II**
15 **UNITED STATES DISTRICT JUDGE**
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